

EXHIBIT AA

RUSK ROAM, JR. 30b6
UNITED STATES vs STATE OF GEORGIA

March 06, 2023

1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
STATE OF GEORGIA,
Defendants.

) CIVIL ACTION
) NO. 1:16-cv-03088-ELR
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30(b)(6) VIDEOTAPE DEPOSITION OF
GEORGIA DEPARTMENT OF EDUCATION
Through Its Representative
RUSK ROAM, JR.

Monday, March 6, 2023 11:42 a.m., EST

HELD AT:

GaDOE
205 Jesse Hill Jr Drive, S.E.
Atlanta, Georgia 30334

WANDA L. ROBINSON, CRR, CCR, No. B-1973
Certified Shorthand Reporter/Notary Public

RUSK ROAM, JR. 30b6
UNITED STATES vs STATE OF GEORGIA

March 06, 2023
27

1 sure we're all on the same page before, before we
2 start session.

3 Q When the GNETS funding formula is updated,
4 what effects of the funding formula might be
5 updated? Is it just the attributes that you've
6 already shared?

7 A Yes.

8 Q And you referred previously to a pot that
9 you referenced as IDEA money. What is the
10 discretionary pot of IDEA money that you referenced?

11 A So basically our IDEA funding comes in in
12 three parts: There's an administrative part,
13 discretionary, or state initiatives, referred to as
14 that pot; and then the formula piece is up to
15 districts.

16 And this is all detailed in our grant
17 award letter, the amount we can take up to. And so
18 we have a discretionary pot that allows us to, for
19 our state run programs, such as GLRS, GNETS, Mentor
20 is one I've seen in there, and then other state
21 initiatives, it allows the State to utilize these
22 funds for those purposes.

23 Now, we don't typically utilize all of our
24 discretionary funds, and if we do not, we send that
25 out as part of the formula. So the formula can be

RUSK ROAM, JR. 30b6
UNITED STATES vs STATE OF GEORGIA

March 06, 2023

28

1 -- the discretionary pot has an up to amount. We
2 don't exceed that, but we don't have to spend
3 exactly that amount on discretionary.

4 Q What happens with that pot of money if
5 it's not spent discretionarily?

6 A It's sent out to districts in the formula.
7 We increase the formula portion of the grant.

8 Q So is it fair to say that the State has
9 the authority to decide how to spend the IDEA
10 discretionary funds?

11 A I'm sorry. Can you repeat that?

12 Q Sure. Is it correct to say that the State
13 has the authority to decide how to spend IDEA
14 discretionary funds?

15 MS. JOHNSON: Object to the form.

16 You can answer.

17 A I would say to the -- the State has to
18 submit an application to US Ed, and in this
19 application I believe it details out how we will
20 spend those discretionary funds. So yes and no. It
21 has to be approved.

22 Q Sure. So I just want to make sure I
23 understand this process.

24 The State has to fill out forms to
25 indicate how it will spend IDEA discretionary funds;

RUSK ROAM, JR. 30b6
UNITED STATES vs STATE OF GEORGIA

March 06, 2023
36

1 Q I'm going to ask you a few questions about
2 how regional GNETS programs funding levels are
3 calculated.

4 Are you familiar with the federal and
5 state components of funding for GNETS?

6 A Yes.

7 Q Is it fair to say that the state funds and
8 federal funds are each part of the appropriations
9 for GNETS in annual state appropriation bills?

10 A Yes.

11 Q How are the GNETS student counts used to
12 appropriate state funds?

13 A As I stated earlier, there are -- similar
14 to our QBE program, there are direct instructional
15 costs, such as teacher, parapro, operational, and
16 then indirect costs, such as psychologists, social
17 workers, those type expenditures. And then state
18 health and the T&E, which are all proportioned of
19 student counts. So each one of our regional GNETS,
20 what I call fiscal agents, they have a student count
21 average, which is the last three school years,
22 ending of the school year counts from each of their
23 GNETS schools.

24 Those counts are how they earn their
25 funding. Really, it's how they earn their federal

RUSK ROAM, JR. 30b6
UNITED STATES vs STATE OF GEORGIA

March 06, 2023
43

1 about the attributes.

2 But if everything stays the same on
3 insurance and teacher salaries, and if all of the
4 different components stay the same, then the level
5 of funding will be determined by the student counts.
6 So if students leave the program, it's going to
7 affect their level of funding.

8 Now, there is a built-in three-year
9 average. So it's not, you know, a kid leaves and
10 they lose all the funding associated with that. But
11 that would adjust their funding.

12 It's all based off student counts.

13 Q Is it fair to say that state funds and
14 federal funds are each part of the annual
15 allocations to each regional GNETS Program upon the
16 approval of the program's grant application?

17 A Yes.

18 Q And is the GNETS student count ranges used
19 to determine the federal portion of the allocation?

20 A I'm sorry, say that again.

21 Q Sure. Is the GNETS student count ranges
22 used to determine the federal portion of the
23 allocation?

24 A Yes, the ranges are used for the federal
25 portion by GLRS center, but not in the calculation